

REMARKS/ARGUMENTS

Claims 33-34, 37-52 and 87-108 are pending in the application. Applicants reserve the right to present any cancelled subject matter in one or more continuation or divisional applications.

In response to a restriction requirement issued January 20, 2006, Applicants elected group IV, drawn to methods of treating *Flaviviridae* infection by administering a 2'-branched nucleoside in combination with one or more drugs that induce a mutation at a location other than a mutation that results in a change from serine to a different amino acid in the consensus sequence XXRXSGXXXT of domain B of the RNA polymerase region. In response to a species election requirement, Applicants elected the 2'-branched nucleoside β -D-2'-CH₃-riboC of claim 38 and the 3'-L-valinyl prodrug of β -D-2'-CH₃-riboC of claim 40.

On October 11, 2006, the Examiner issued a supplemental communication requiring an additional species election of one chemical modifier from each of:

- A. One R² from claims 88-90; and
- B. One R⁴ from claims 91-95.

Applicants hereby elect the species wherein R² is an amino acid ester as recited in claim 89 for genus (A) and elect the species wherein R⁴ is methyl as recited in claim 92 for genus (B).

The Examiner also required election of a subspecies when R² is an amino acid ester selected from species disclosed in claims 100-102. Applicants elect the subspecies wherein R² is an ester of L-valine. Claims 33-34, 37, 39-40, 48-50, 52, 89, 92, and 100-108 read on the elected subspecies.

Examination of the elected claims is respectfully requested. Commissioner is authorized to charge any deficiency to Deposit Account 11-0980.

Respectfully submitted,

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